

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

JOSHUA ILDERTON and
STACY ILDERTON,

Plaintiffs,

vs.

Case No. 2:13-cv-1392

STYLINE LOGISTICS, INC., an
Indiana corporation, and CON-WAY,
INC., doing business through its subsidiary
CON-WAY TRUCKLOAD, INC., a
Michigan corporation,

Defendants.

**AGREED ORDER OF VOLUNTARY DISMISSAL
OF CON-WAY, INC. AND SUBSTITUTION OF
CON-WAY TRUCKLOAD INC. IN PLACE OF CON-WAY, INC.**

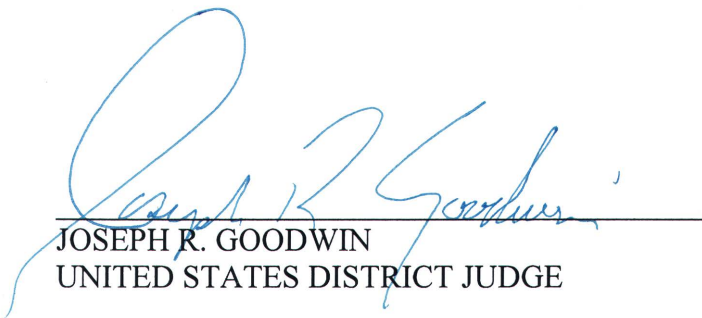
On this date, came the parties, Joshua Ilderton and Stacy Ilderton, by counsel, Gregory B. Chiartas; came Styline Logistics, Inc., by counsel, Philip J. Sbrolla; and came Con-Way Truckload Inc., by counsel, Stephen F. Gandee. Whereupon, the parties jointly advised the Court that they had agreed to stipulate to the Court that, pursuant to Federal Rules of Civil Procedure Rule 41(a)(2), the plaintiff would voluntarily dismiss from this case Con-Way, Inc., with prejudice, and that the parties further agreed that Con-Way Truckload Inc. should be substituted in place of Con-Way, Inc. as a defendant to this action.

The Court, finding no objections thereto, does hereby ORDER that Con-Way, Inc. is hereby dismissed, with prejudice, from this action, that this Civil Action No. 2:13-cv-1392 shall remain on the Court's docket, that Con-Way Truckload Inc. shall be substituted, together

with Styline Logistics, Inc., as the named defendants in this action.

The Clerk is directed to note the dismissal of the said Con-Way, Inc. in the records of its office, to modify the style of the case in its records as set forth above, and to lodge a copy of this Agreed Order of Voluntary Dismissal of Con-way, Inc. and Substitution of Con-Way Truckload Inc. in Place of Con-Way, Inc. on the Court's electronic docket, which will be electronically served on all counsel of record.

ENTER: April 12, 2013



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ Stephen F. Gandee

Stephen F. Gandee
(W. Va. State Bar I.D.: 5204)

Attorney for Defendant Con-Way Truckload Inc.
(improperly designated herein as Con-Way, Inc.,
doing business through its subsidiary Con-Way
Truckload, Inc.)

Robinson & McElwee PLLC
Post Office Box 128
140 West Main Street, Suite 300
Clarksburg, West Virginia 26302-0128
(304) 622-5022

Agreed to by:

/s/ Gregory B. Chiartas (with permission)

Gregory B. Chiartas
(W. Va. State Bar I.D.: 715)

Attorney for Plaintiffs

Freeman & Chiartas
Post Office Box 347
Charleston, West Virginia 25322
(304) 342-4508

/s/ Philip J. Sbrolla (with permission)

Philip J. Sbrolla
(W. Va. State Bar I.D.: 11297)

Attorney for Defendant Styline Logistics, Inc.

Cipriani & Werner, PC
1144 Market Street, Suite 300
Wheeling, West Virginia 26003
(304) 232-3600